

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62145 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- SAHJAHANPUR District- Patna

1. RAKESH KUMAR son of Ravindra Bind Village- Khabajpur Ps- Karai Parsurai Dist- Nalanda At Present- Village- Singariyawan Ps- Sahjahanpur dist- Patna
2. Dharmendra Kumar son of Radho Prasad Village- Singariyawan Ps- Sahjahanpur Dist- patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dheerendra Kumar @ Dheerendra Sharma son of Late Ranjandhari Sharma R/o- Singariyawan Ps- Sahjahanpur Dist- patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sujit Kumar, Adv.
For the Opposite Party/s	:	Mr. Navin Kr. Pandey, APP
For the Informant	:	Mr. Shrinath Manjhi, Adv.
		Mr. Ramanuj, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 27-01-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Sahjahanpur P.S. Case No. 51 of 2023 registered for the offences punishable under Sections 420, 406, 467, 468, 471, 23, 379, 504, 506/34 of the Indian Penal Code.

3. As per FIR, petitioners alleged to execute the sale deed in his favor by impersonating complainant/ informant where the sale deed was alleged to be executed for a piece of



land measuring about 60 decimal bearing Thana no. 98, Khata no. 677, Khesara No. 2010 situated in Mauza Rampur, district Patna.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the dispute between the parties i.e., informant and petitioners primarily appears civil in nature for which the present criminal complaint case is completely un-occassioned and un-warranted. It is submitted that on the basis of imaginary occurrence dated 03.01.2023 present false case was lodged where in fact no such occurrence took place. It is submitted that the land, in issue, was initially given on lease to this petitioners which was subsequently sold to petitioners by informant through registered sale deed in 2022. It is submitted that informant also lodged a title suit bearing no. 29 of 2023 which is pending before Sub-judge, Patna City.

5. Learned APP opposes the prayer of bail.

6. Learned counsel for the informant while opposing the prayer of bail could not disputed aforesaid factual submission that dispute is primarily civil in nature, for which



the aforesaid title suit is pending before learned Sub-judge,
Patna as submitted aforesaid.

7. In view of aforesaid factual submission and by taking note of fact as dispute between the parties *prima-facie* appears civil dispute for which title suit is pending before the court of sub-judge, Patna as discussed aforesaid, accordingly both above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM 1st Patna City /concerned Court, where the case is pending in connection with Sahjahanpur P.S. Case No. 51 of 2023, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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